

[Handwritten Signature]

Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
September 22, 2014

Samuel A. Schwartz, Esq.
Nevada Bar No. 10985
Emelia L. Allen, Esq.
Nevada Bar No. 11898
The Schwartz Law Firm, Inc.
6623 Las Vegas Blvd. South, Suite 300
Las Vegas, Nevada 89119
Telephone: (702) 385-5544
Facsimile: (702) 385-2741
Proposed Attorneys for the Debtors

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEVADA

In re:) Case No. 14-10723-ABL
)
Reza Athari and Fataneh R. Athari,) Chapter 11
)
)
Debtors.) Hearing Date: September 17, 2014
) Hearing Time: 1:30 p.m.

**ORDER UNDER 11 U.S.C. §§ 327(a), 328, 329 AND 331 AND
FED R. BANKR. P. 2014 AND 2016 AUTHORIZING THE
EMPLOYMENT AND RETENTION OF THE SCHWARTZ
LAW FIRM, INC. AS ATTORNEYS FOR THE DEBTOR AND
DEBTOR-IN-POSSESSION NUNC PRO TUNC TO AUGUST 7, 2014**

Upon the application (the “**Application**”)¹ of the above-captioned debtors and debtors-in-possession (the “**Debtors**”), for the entry of an order pursuant to 11 U.S.C. § 327(a), 328, 329, and 331, and Rules 2014 and 2016 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) authorizing the employment and retention of The Schwartz Law Firm, Inc. (“**SLF**”), as counsel for the Debtors, *nunc pro tunc* to August 7, 2014; and upon the

¹ Any capitalized term not defined herein shall have the meaning ascribed to that term in the Application.

1 Declaration and Statement of Samuel A. Schwartz sworn to on August 12, 2014 (the
2 “**Schwartz Declaration**”); and the Court being satisfied with the representations made in the
3 Application and the Schwartz Declaration that SLF represents no interest adverse to the
4 Debtors’ estate with respect to the matters upon which SLF is to be engaged, that SLF is a
5 “disinterested person” as that term is defined in section 101(14) of the Bankruptcy Code, as
6 modified by section 1107(b) of the Bankruptcy Code, and that SLF’s appointment is necessary
7 and is in the best interests of the Debtor’s estate, its creditors and other parties-in-interest; and
8 upon the record of the hearing held on the Application; and it appearing that proper and
9 adequate notice of the Application has been given and that no other or further notice is
10 necessary; and after due deliberation thereon, and all parties appearing having an opportunity
11 to be heard; and good and sufficient cause appearing therefore, it is hereby:
12
13

14 **ORDERED** that the Application is granted; and it is further
15

16 **ORDERED** that Pursuant to 11 U.S.C. §§ 327(a), 328, 329 and 331 and Bankruptcy
17 Rules 2014 and 2016, the Debtors are authorized to employ and retain SLF as its attorneys,
18 effective as of August 7, 2014, to perform the services set forth in the Application and
19 Engagement Agreement, a copy of which is attached to the Application as Exhibit B; and it is
20 further
21

22 **ORDERED** that the hourly rates and billing structure described in the Application are
23 hereby approved pursuant to section 328 of the Bankruptcy Code, subject to adjustment in
24 accordance with SLF’s customary practices; and it is further
25

26 **ORDERED** that SLF shall be compensated in accordance with the procedures set forth
27 in sections 330 and 331 of the Bankruptcy Code and such Bankruptcy Rules and Local Rules
28
29

1 as may then be applicable, from time to time, and such procedures as may be fixed by order of
2 this Court; and it is further

3 **ORDERED** that the Debtors are authorized to pay SLF's fees and to reimburse SLF for
4 its costs and expenses as provided in the Engagement Agreement and SLF is authorized to file
5 fee applications on a monthly basis; and it is further

6 **ORDERED** that SLF shall be required to send notice of its monthly interim fee
7 applications to the Debtors, the office of the U.S. Trustee and those creditors requesting notice
8 in this case; and it is further

9 **ORDERED** that SLF shall be required to submit full interim fee applications every one
10 hundred twenty (120) days to all creditors; and it is further

11 **ORDERED** that upon the approval of any of SLF's interim fee applications, only
12 ninety percent (90%) of all approved fees shall be paid and ten percent (10%) of the approved
13 interim fees shall remain in SLF's trust pending final approval of SLF's fees and costs; and
14 it is further

15 **ORDERED** that as provided by Fed. R. Bankr. P. 7062, this Order shall be effective
16 and enforceable immediately upon entry.

17 Submitted by:

18 THE SCHWARTZ LAW FIRM, INC.

19 By /s/ Samuel A. Schwartz

20 Samuel A. Schwartz, Esq., NBN 10985
21 6623 Las Vegas Blvd. South, Suite 300
22 Las Vegas, NV 89119
23 Attorneys for the Debtors

1 **SUBMISSION TO COUNSEL FOR APPROVAL PURSUANT TO LR 9021**

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):
4

5 The court has waived the requirement set forth in LR 9021(b)(1).
6

7 No party appeared at the hearing or filed an objection to the motion.
8

9 I have delivered a copy of this proposed order to all counsel who appeared at the
10 hearing, and any unrepresented parties who appeared at the hearing, and each has
11 approved or disapproved the order, or failed to respond, as indicated below:
12

13 I certify that this is a case under Chapter 7 or 13, that I have served a copy of this
14 order with the motion pursuant to LR 9014(g), and that no party has objected to the
15 form or content of this order.
16

17 APPROVED:
18

19 DISAPPROVED:
20

21 FAILED TO RESPOND:
22

23 Submitted by:
24

25 THE SCHWARTZ LAW FIRM, INC.
26

27 By /s/ Samuel A. Schwartz
28 Samuel A. Schwartz, Esq., NBN 10985
29 6623 Las Vegas Blvd. South, Suite 300
30 Las Vegas, NV 89119
31 Attorneys for the Debtors
32

27 # # #
28
29
30
31
32